THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 5321 of 2004

Dated:12-09-2005

Between:

C. Ananda Krishna Murthy.

..Petitioner.

And

The Joint Collector, Anantapur and others.

..Respondents.

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 5321 of 2004

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Civil Supplies appearing for the respondents.

This writ petition is filed seeking a declaration that the order of the first respondent-Joint Collector, Anantapur dated 25-2-2004 as arbitrary and illegal.

The material on record shows that the writ petitioner is a fair price shop dealer and the stock available in the fair price shop was seized by the Deputy Mandal Revenue Officer on the ground of alleged variations in the stocks available. Subsequently, the proceedings under Section 6-A of the Essential Commodities Act, 1955 (For short 'the Act') were initiated for confiscation of the stocks seized. Pending such proceedings, the first respondent, under the impugned proceedings dated 25-2-2004, directed sale of the seized rice. This Court while directing rule nisi, by an order dated 23-3-2004, granted interim stay of all further proceedings in pursuance of the impugned order.

Having heard the learned counsel for both the parties and having regard to the scope of the controversy involved in the writ petition, without expressing any opinion as to the merits of the case, I deem it appropriate to dispose of the writ petition with a direction to the first respondent-Joint Collector, Anantapur to complete the proceedings initiated under Section 6-A of the Act, if not already completed, expeditiously within a period of eight weeks from the date of receipt of a copy of this order. Till such orders are passed, the seized stock shall not be sold.

Accordingly, the Writ Petition is disposed of. No order as to costs.

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12-09-2005

sj